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OFFICE OF PETITIONS

In re Application of
Klaus Doebling, Ephraim Gutmark and
Christian Oliver Paschereit

Application No. 10/725,565

Filed: December 3, 2003

Attorney Docket No. 003-100

Title: COMBUSTION SYSTEM

DECISION ON PETITION
UNDER 37 C.F.R. §1.47(a)

This is in response to the petition under 37 C.F.R. §1.47(a)¹, filed October 4, 2004.

On December 3, 2003, the application was deposited, identifying Klaus Doebling, Ephraim Gutmark and Christian Oliver Paschereit as joint inventors. No oath or declaration was included on filing. On March 3, 2004, a "Notice to File Missing Parts of Nonprovisional Application – Filing Date Granted" (Notice) was mailed, indicating that a fully executed oath or declaration and a surcharge of \$130.00 were required. This Notice set a two-month period for reply.

With the instant petition, Petitioner has also submitted the associated fee, the surcharge associated with the late submission of an oath or declaration, a declaration of facts, a declaration which has been executed by joint inventors Doebling and Gutmark, and the last known address of the non-signing inventor. Petitioner has also included a five-month extension of time to make timely this response (October 3, 2004 fell on a Sunday).

1A grantable petition under 37 C.F.R. §1.47(a) requires:

- (1) the petition fee of \$130;
- (2) a surcharge of either \$65 or \$130 if the petition is not filed at the time of filing the application, as set forth in 37 CFR § 1.16(e);
- (3) a statement of the last known address of the non-signing inventors;
- (4) either
 - a) proof that a copy of the entire application (specification, claims, drawings, and the oath or declaration) was sent or given to the non-signing inventor for review and proof that the non-signing inventor refuses to join in the application or
 - b) proof that the non-signing inventor cannot be found or reached after diligent effort;
- (5) a declaration which complies with 37 CFR §1.63.

Petitioner has met each of the 5 requirements above.

The petition is **GRANTED** and this application is hereby accorded Rule §1.47(a) status.

As provided in Rule 1.47(a), this Office will forward notice of this application's filing to the non-signing inventor at the addresses given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

After this decision is mailed, the application will be forwarded to Technology Center 3700 for further processing.

The general phone number for the Office of Petitions which should be used for status requests is (571) 272-3282. Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225.



Paul Shanowski
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Office of Petitions
United States Patent and Trademark Office